

REMARKS

Claim 2 is canceled; new claims 78-84 are added; and claims 1, 3-10 and 78-84 are pending in the application.

Claim 1 stands rejected as being anticipated by either Bagley or Huang; claims 4 and 7 stand rejected as being anticipated by Huang; and claims 2, 3, 5, 6 and 8-10 are indicated to contain allowable subject matter but stand objected-to for depending from rejected independent base claims.

Claim 1 is amended to incorporate the subject matter of objected-to claim 2 therein, and accordingly is believed to now be in condition for allowance.

Claims 3-10 depend from claim 1 and accordingly are believed to be in condition for allowance for at least the reasons for which claim 1 is now in condition for allowance.

New claims 78-80 are independent claims containing the subject matter of objected-to claims 3, 5 and 6, respectively, together with the limitations of the base claim 1 from which the objected-to claims depended. New claims 78-80 are thus believed to be in condition for allowance.

New claims 82-84 are independent claims containing the subject matter of objected-to claims 8, 9 and 10, respectively, together with the limitations of the base claim 1 from which the objected-to claims depended. New claims 82-84 are thus believed to be in condition for allowance. It is noted that new claim 82 contains a limitation that a recited material comprises one or more of nickel, iron and copper, in addition to the limitations of claim 8.

New claim 81 is an independent claim containing the subject matter of claim 7 together with the limitations of base claim 1. The Examiner rejected claim 7 as being anticipated by Huang. Applicant respectfully requests reconsideration of such rejection.

Claim 81 recites a method in which first and second layers are formed over a mass and a region proximate the mass; the first and second layers are removed from over the mass while leaving the portions of the first and second layers over the region proximate the mass; the first layer is etched with an etch selective for the first layer relative to the second layer to form a channel over the region proximate the mass; and a material is formed within the channel. The claim further recites that the second layer consists essentially of one or both of silicon and carbon, and the first layer consists essentially of silicon and one or both of nitrogen and oxygen. Thus, claim 81 recites that a layer consisting essentially of silicon and one or both of nitrogen and oxygen (the recited first layer) is selectively etched relative to a layer consisting essentially of one or both of silicon and carbon (the recited second layer).

In rejecting claim 7, the Examiner referred the applicant to the third paragraph of column 8 of Huang. Such location of Huang describes formation of a polymer film. Accordingly, it appears that the Examiner is contending that the polymer film of Huang can be considered to be applicant's recited second layer consisting essentially of one or both of silicon and carbon. Applicant respectfully notes, however, that even if the polymer film of Huang consists essentially of one or both of silicon and carbon, Huang does not show the recited subject matter of previous claim 7, which is now new claim 81. Specifically, Huang,

does not show such a layer consisting essentially of silicon and one or both of nitrogen and oxygen being selectively etched relative to the polymer film (78 of Fig.4(d)). Huang shows layers 72 and 74 comprising silicon dioxide and silicon nitride, respectively; and thus shows layers which can be considered to consist essentially of silicon and one or both of nitrogen and oxygen. However, Huang does not show either of the layers 72 and 74 being selectively etched relative to the polymer film 78. If anything, Huang shows the exact opposite -- the removal of film 78 selectively relative to layers 72 and 74 (see Huang's Figs. 4(e) and 4(f)).

Huang does not show the claim 81 recited removal of a layer consisting essentially of silicon and one or both of nitrogen and oxygen selectively relative to a layer consisting essentially of one or both of silicon and carbon. For at least this reason, claim 81 is not anticipated by Huang. Claim 81 is also not suggested by Huang. Applicant therefore respectfully requests allowance of claim 81 in the Examiner's next action.

Claims 1 and 3-10 are allowable for the reasons discussed above; and new claims 78-84 are believed allowable. Applicant therefore respectfully requests that the Examiner's next action be a Notice of Allowance formally allowing all of the pending claims.

Respectfully submitted,



Dated: October 6, 2005

By: _____

David G. Latwesen, Ph.D.
Reg. No. 38,533